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Charles Jones Fraas

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LSCA

LIBRARY SERVICES AND CONSTRUCTION ACT: 98TH CONGRESS REAUTHORIZATION

AND APPROPRIATIONS

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AUTHOR:

Charlotte Jones Fraas

Education and Public Welfare Division

THE LIBRARY OF CONGRESS

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ISSUE DEFINITION

The Library Services and Construction Act (LSCA) is the major source of Federal support for public libraries. It provides financial assistance to States through formula grants for the purposes of increasing access to public library services for certain under-served groups, improving library administration, and providing assistance to metropolitan libraries. The LSCA was extended through FY84 under the Omnibus Budget Reconciliation Act of 1981. Early in the second session of the 98th Congress, the House passed legislation extending the LSCA program through FY88 (H.R. 2878). The President requested the termination of the program in both his FY84 and FY85 budgets.

BACKGROUND AND POLICY ANALYSIS

The Library Services and Construction Act (LSCA) provides financial assistance to States through formula grants for the purpose of increasing access to public library services to certain under-served groups and strengthening urban resource libraries. Under-served groups are defined by law to include persons who are handicapped, disadvantaged, limited English-speaking, and those living in State-supported institutions. In FY84, \$80 million was appropriated for the LSCA programs, which accounted for an estimated 5% of total funding for public libraries. At present, public library services, as reported by the Department of Education, are available to about 30 million disadvantaged, 5 million limited English-speaking, 1.2 million physically handicapped, and 723,000 institutionalized persons.

Four titles of the LSCA authorize program assistance:

TITLE I -- PUBLIC LIBRARY SERVICES

Title I authorizes formula grants to States to extend library services to under-served groups, strengthen the capacity of the State library administrative agency, and administer the State plan. The State grant formula authorizes an allotment of \$200,000 to each State, Washington, D.C., and Puerto Rico (all territories excluding Puerto Rico receive a flat grant of \$40,000), with the balance distributed on the basis of total population.

To receive their title I grant, States must fulfill certain matching, maintenance of effort, and planning requirements. Title I is a matching grant program: a State must provide from 33% to 66% (except for the territories where the Federal share is 100%) of the total (State and Federal) funds used for title I purposes, depending on its personal income per capita relative to the national average. States, under the maintenance of effort provisions, must spend at least the same amount from State and local sources for public libraries (including specifically the same amount for such services as they did for handicapped and institutionalized persons) during the second preceding fiscal year. In addition, for any fiscal year in which the total appropriation for title I exceeds \$60 million (as was the case in FY79-81), States with cities of population of 100,000 or more must use a minimum proportion of their grant (from the appropriation in excess of \$60 million) for urban resource libraries. This minimum proportion for urban resource libraries is the lesser of 50%, or the percentage which urban

population constitutes of the total State population (urban population here defined as population in cities of 100,000 or more). States can only receive the urban resource funds if they agree to allocate from State and local sources at least as much as they provided during the previous fiscal year for such libraries.

Access to public libraries, according to the American Library Association, has increased from 84% of the population in 1965, when the LSCA program was first enacted, to 94% of the population in 1976. A recent evaluation prepared for the Department of Education (ED) reported that it might not be feasible to extend library services to the remaining 6% of the population because they either live in areas with an inadequate local tax base, or related to this, in areas too sparsely populated to support a library program. [SOURCE: An evaluation of title I of the Library Services Act, Chapter 7, Applied Management Corporation. Silver Spring, Maryland. January 1981.]

The ED study also reported that about 36% of all title I funds are currently being used to support services for groups specifically targeted by the legislation, with the remaining funds being used to support services for the general public (50%), administration (2%), or to strengthen State, local, and municipal libraries (12%).

TITLE II -- PUBLIC LIBRARY CONSTRUCTION

Title II authorizes formula grants to States for the construction or renovation of library buildings. Since FY73, funding has been limited to a one-time appropriation of \$50 million in FY83 as part of the Emergency Jobs Appropriation Act (P.L. 98-8). The Act required that 50% of the program funds be distributed under the LSCA program formula and 50% based on the State's relative share of the number of unemployed persons. In addition, the Act requires that funds be used in areas of the State where unemployment is highest and for purposes which would have the greatest immediate employment prospects. According to the Department of Education, as of Sept. 30, 1983, about 56% of the total appropriation has been obligated.

TITLE III -- INTERLIBRARY COOPERATION

Title III authorizes formula grants to States for the coordination of information services between libraries, so that users of one library may draw upon the services of all libraries. Each State receives a minimum grant of \$40,000 with the remaining funds distributed by total population. In FY83, \$11.5 million was appropriated for this program. The title III legislation does not contain any matching or maintenance of effort requirements.

TITLE IV -- OLDER READER SERVICES

Title IV authorizes grants to States for library services for the elderly. It has never been funded.

LEGISLATIVE HISTORY

Federal efforts to support libraries began in 1956 with the passage of the Library Services Act (P.L. 84-597) which authorized assistance to States to

provide library services in inadequately served rural areas. The Act was amended five times during the 1960s to include assistance for urban areas, construction, interlibrary cooperation, and for handicapped and institutionalized persons. The name of the Act was also changed (in 1964) to "The Library Services and Construction Act."

The 1970 amendments to the LSCA (P.L. 91-600) authorized funds to strengthen metropolitan public libraries, required States to submit 5-year plans, and consolidated the Act into three titles -- Library Services (title I), Public Library Construction (title II), and Interlibrary Cooperation (title III). The Act was amended in 1973 by the Older Americans Act to add a new Title IV -- Older Reader Services -- and by the Arts and Humanities Amendments of 1973 to enlarge the definition of public libraries to include research libraries meeting certain criteria. In 1974, the Act was amended to include services to areas with high concentrations of limited English-proficient persons. The Act was last reauthorized in 1977 by the Library Services and Construction Act amendments, P.L. 95-123. This Act authorized the program through FY82 and included the current law maintenance of effort requirements, and the requirement for one-half of additional funds to be spent for urban libraries in any fiscal year the appropriation for title I exceeds \$60 million.

THE WHITE HOUSE CONFERENCE ON LIBRARIES AND INFORMATION SERVICES

The White House Conference on Libraries and Information Services (authorized by P.L. 93-568), which took place in November 1979, recommended new Federal library legislation to replace the LSCA. The purpose of the proposed legislation would be to "insure that library and information services are adequate to meet the informational, cultural, educational, and personnel development needs of the people of the United States." The proposal recommended that the current Federal role in aiding public libraries be broadened to include:

- (1) establishment of an Office of Assistant Secretary for Library Services within the Department of Education to administer all Federal library and related programs, and to carry out certain research and dissemination activities;
- (2) authorization of four separate formula grant programs to States for (a) planning, developing, and maintaining public library collections, data bases, and network systems; (b) extending and improving public library services to urban and rural areas with high concentrations of low-income families and for the functionally illiterate and limited English-proficient; (c) linking public library services to educational, cultural, and informational programs for public and private nonprofit groups; (d) administering the State-wide plan for libraries, personnel development, and preservation of historical records and documents; and
- (3) authorization of grants to the Department of Interior to provide library services on Indian lands.

The National Library and Information Services Act (S. 1859), which

incorporated many of the recommendations of the White House Conference, was introduced in the 96th Congress; no legislative action, however, was taken on this measure.

RELATED LIBRARY PROGRAMS

The Federal Government also provides assistance to public libraries primarily through the College and Research Library Assistance and Library Training and Research (Title II of the Higher Education Act), which authorizes grants to institutions of higher education and to library organizations to: (a) acquire library resources; (b) encourage research and training in librarianship; (c) strengthen research library resources; and (d) provide for the establishment of a National Periodical System. In FY84, \$1 million was appropriated for Part A and \$6.0 million for Part C.

Both title II and the LSCA program are administered by the Office of Libraries and Learning Technologies within the U.S. Department of Education.

Federal assistance could also be provided to public libraries under the General Revenue Sharing legislation. Data, however, are not supplied by the States to the Federal Government listing the amount of such funds distributed to public libraries.

The Library of Congress also provides some technical assistance to public libraries through the compilation of bibliographic data, sales of catalog cards and technical publications, and by dissemination of information concerning techniques, methods, and new developments in book restoration and preservation. The Library is not authorized to provide grant assistance to public libraries.

REAUTHORIZATION OF LIBRARY SERVICES AND CONSTRUCTION ACT

On Jan. 31, 1984, the House passed H.R. 2878, the Library Services and Construction Act Amendments of 1983, to amend and extend the LSCA program through the end of FY88. The primary differences between the current law program and H.R. 2878 are described as follows. H.R. 2878 would:

- (1) Authorize the Secretary of Education to distribute 2% of the appropriation of title I, II, and III of the LSCA program to Indian tribes. The bill would require that the funds be used for purposes similar to those authorized under titles I, II, and III and that the applicant tribes agree to meet certain maintenance of effort and planning requirements.
- (2) Authorize the appropriation of \$5 million for each of the fiscal years 1985-1988 to provide grants to State and local libraries to support literacy training. Individual grants would be limited under this section to \$25,000.
- (3) Authorize the appropriation of \$1 million for each of the fiscal years 1985-1988 to provide grants to State and local public libraries to acquire foreign language materials. Individual grants would be limited under this title to \$15,000.
- (4) Require that the annual and long-range planning requirements

for distributing LSCA funds include provisions for providing library services for the elderly and a "resource sharing plan" to meet the objectives of the title III interlibrary cooperation program.

- (5) Provide, but does not require, forward funding for all library programs beginning in FY85. (This provision is similar to section 411 of the General Education Provisions Act (GEPA) which authorizes forward funding for all Federal education programs.)
- (6) Repeal the title IV Older Readers Services program (this program has never been funded).
- (7) Limit funds for program administration to the greater of 5% of the total appropriation or \$50,000. (Current law requires a one-to-one match for administration with no ceiling on the amount set aside for administration).
- (8) Limits the Federal share of projects funded under title II, Public Library Construction, to 50% of the total cost. (Current law does not require a specific program match but rather an overall 50% LSCA program match). In addition, provides that under certain circumstances Federal funds allocated for library construction can be recaptured if the structure is no longer used as a library facility.

H.R. 2878 had been reported by the Education and Labor Committee on May 16, 1983 (H.Rept. 98-164).

FY81 Omnibus Budget Reconciliation Act (P.L. 97-35)

The FY81 Omnibus Budget Reconciliation Act authorized about the same appropriation levels, for Federal libraries programs for FY82-84, as was appropriated in FY81, with the exception of ESEA Title IV-B which was consolidated as part of the new education block grant. The authorization levels for LSCA Title I and Title III were slightly increased from \$62.5 to \$65 million, and \$12.5 to \$15.0 million respectively. Authorization levels for HEA Title II parts A, B, and C were unchanged from their FY81 appropriation level.

APPROPRIATIONS HISTORY

Appropriations for LSCA have increased from \$49.0 million in FY75 to \$65 million in FY84 for title I and from \$2.6 million in FY75 to \$15 million in FY84 for title III. No funds have been appropriated for title II since FY74, except for a one-time appropriation of \$50 million in FY83 under P.L. 98-8, the Emergency Jobs Appropriations Act. No funds have ever been appropriated for title IV.

FY84 BUDGET REQUEST

President Reagan's FY85 budget request recommends zero funding for public libraries programs. In general, the Administration believes that public library services, interlibrary cooperation, and professional training should

be State and local responsibilities. The Administration also had requested the termination of the library programs in its FY84 budget. The FY84 appropriation enacted under P.L. 98-139, the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1984, provided \$86.9 million for the LSCA and Higher Education Act programs, \$43.3 million less than in FY83. Of the FY84 funds, \$65 million in budget authority is available for public library services (title I) and \$15 million for interlibrary cooperation under the LSCA; and \$6 million for research libraries and \$1 million for training and demonstrations under the Higher Education Act.

ISSUES

One of the issues concerning the LSCA program is whether there remains an appropriate Federal role in supporting public libraries. Some have argued that Federal library funding should terminate because it is too small a proportion (5%) of total expenditures to have a significant impact on library operations. Opponents of Federal library assistance have also argued that the primary goal of the LSCA program to extend library services to all parts of the country has been largely achieved because 94% of the population now has access to such services. These critics argue that further efforts to increase the proportion of the population receiving library services would not be cost-beneficial, since the unserved generally live in very sparsely populated areas.

Proponents of continuing Federal aid to libraries concede that library services are now generally available to most people. They point out, however, that library services for those who are handicapped, limited-English speaking, and disadvantaged are not adequately available, and that the LSCA program should be continued and focused on increasing the access of special needs populations to library services. Also, advocates for increasing Federal assistance for public libraries have argued that since library resources are now being directed more to those with special needs, -- handicapped, functionally illiterate, and limited-English proficient individuals -- more Federal funds should support these additional costs.

Those favoring a reduction in Federal library assistance have argued that in a time of diminishing Federal resources, State and local governments should absorb reductions in Federal library funding, because libraries are primarily a State and local responsibility. Proponents of aid have countered that Federal library funds should not be reduced, because State and local governments, operating under their own fiscal constraints, are unlikely to replace lost Federal aid; as a result, there would be a net reduction in resources for an important public service.

Advocates of continuing Federal assistance have argued that public libraries are a low priority in State and local budgets because they are often not perceived as "essential services", such as police or fire protection. These proponents believe that State and local governments "under-value" public library services, especially in areas of relatively low wealth, and that the stimulus of Federal funds is required to provide quality library services.

Proponents of Federal library aid argue that the adoption of the same information systems (networking) nationwide through Federal assistance would help to improve service in some libraries that do not meet minimum standards. It could be argued that States could form such a coalition without Federal

support.

Finally, Federal aid advocates have argued that new, computer-based forms of information technology could greatly increase the quality and range of services offered by libraries, and the efficiency with which they are provided; yet this technology is unlikely to be adopted without Federal assistance. These proponents point out that Federal aid was essential to the development of interlibrary loan activities and other innovative practices in the past, and is now essential for expansion of library services via new technology. In opposition to this, it is argued that if the new technologies are superior in efficiency to the old, then the States and localities will adopt them in spite of (even because of) constrained revenues, with or without Federal assistance.

LEGISLATION

97th Congress

S. 1431 (Stafford et al.)

National Library and Information Services Act. Directs the Secretary of Education to make grants to States for public library programs for services, construction, special user needs, planning and development, public awareness, and personnel training. Authorizes appropriations for such purposes for fiscal years 1983 through 1987. Establishes in the Department of Education an Office of Libraries and Learning Technologies, to be headed by a Deputy Assistant Secretary, through which the Secretary is to carry out such grant programs and other appropriate programs. Introduced June 25, 1981; referred to Committee on Labor and Human Resources.

98th Congress

H.R. 2878 (Simon et al.)

Library Services and Construction Act Amendments. Extends and amends the LSCA program through the end of FY88. Provides special library programs for Indian tribes, literacy training, and the acquisition of foreign language materials, among other purposes. Introduced May 3, 1983; referred to the Committee on Education and Labor. Reported to the House (H.Rept. 98-165) May 16. Passed the House Jan. 31, 1984.

HEARINGS

U.S. Congress. House. Committee on Education and Labor. Oversight hearings on library programs, 98th Congress, 1st session. Apr. 15-17, 1983. [unpublished]

----- Oversight hearings on library programs, 97th Congress, 1st session. Sept. 15, Dec. 6, 1981. [unpublished]

U.S. Congress. House. Committee on Education and Labor. Subcommittee on Postsecondary Education. Hearings, 96th Congress, 1st session. Apr. 3, 1979. Washington, U.S. Govt. Print. Off., 1979.

U.S. Congress. House. Committee on Education and Labor. Subcommittee on Select Education. Library services extension. Hearings, 94th Congress, 1st session. Dec. 15, 1975. Washington,

U.S. Govt. Print. Off., 1976. 350 p.

U.S. Congress. Senate. committee on Appropriations. Department of Labor-HEW appropriations for FY79. Hearings, 95th Congress, 2d session. Washington, U.S. Govt. Print. Off., 1978. Part 3. 871 p.

REPORTS AND CONGRESSIONAL DOCUMENTS

Government Studies and Systems, Incorporated. Evaluation of the effectiveness of Federal funding of public libraries. Study prepared for National Commission on Libraries and Information Science. Philadelphia, December 1976. 118 p.

Applied Management Sciences. An Evaluation of title I of the Library Services and Construction Act. Study prepared for U.S. Department of Education. January 1981.

CHRONOLOGY OF EVENTS

- 01/31/84 -- H.R. 2878, to reauthorize the Library Services and Construction Act through FY88, passed the House.
- 08/13/81 -- P.L. 97-35, the Omnibus Budget Reconciliation Act of 1981, was signed into law. It extended the authorization for the LSCA program through the end of FY84.
- 10/07/77 -- P.L. 95-123, the Library Services and Construction Amendments of 1977, was enacted.
- 12/31/74 -- P.L. 93-568, the White House Conference on Library and Information Services was enacted; this legislation authorized the President to call a conference not later than 1978 for the purpose of developing recommendations for further improvement of the Nation's libraries and information centers.
- 05/03/73 -- P.L. 93-29, the Older Americans Act, added new title IV to the Library Services and Construction Act for Older Readers Services.
- 12/30/70 -- P.L. 91-600, the Library Services and Construction Amendments, extended the provisions for 5 years and consolidated library services programs for the institutionalized and handicapped.
- 07/20/70 -- P.L. 91-345, the National Commission on Libraries and Information Science, was established.
- 04/13/70 -- P.L. 91-230, the Elementary and Secondary Education Amendments extended title II, ESEA, School Library Resources.
- 11/24/67 -- P.L. 90-154, the Library Services and Construction Act Amendments, made certain technical amendments; allowed

1-year extension of 100% Federal funding for title III, interlibrary cooperation.

- 07/19/66 -- P.L. 89-511, the Library Services and Construction Act Amendments, extended appropriations through FY71, and added title III, interlibrary services and services for the physically handicapped.
- 02/11/64 -- P.L. 88-269, the Library Services and Construction Act, extended assistance to non-rural areas; and authorized funds for public library construction.
- 08/31/60 -- P.L. 86-679, the Library Services Act Amendments, extended authorizations for appropriations for 5 years for Library Services Act.
- 06/19/56 -- P.L. 84-597, the Library Services Act, authorized grants to States for extension and improvement of rural public library services, and authorized to appropriate for FY57 and 4 succeeding years \$7,500,000.

ADDITIONAL REFERENCE SOURCES

National Commission on Libraries and Information Science. White House Conference on Library and Information Services. Final report. Washington, U.S. Govt. Print. Off., March 1980. 101 p.

U.S. General Accounting Office. Federal library support programs: progress and problems. Office of Education, U.S. Department of Health, Education and Welfare. Washington, Dec. 30, 1974. 46 p.